

NOTICE OF ACCELERATION AND NOTICE OF TRUSTEE'S SALE

DEED OF TRUST INFORMATION:

Date: 12/29/2004
Grantor(s): KERRY P. SPAIGHT AKA K.P. SPAIGHT AND WIFE, ANN L. SPAIGHT
Original Mortgagee: WELLS FARGO FINANCIAL TEXAS, INC.
Original Principal: \$103,158.01
Recording Information: Book 05838 Page 00199 Instrument 2005-0008332
Property County: Collin
Property: BEING LOT 46, IN BLOCK A OF PARK PLACE PHASE I, AN ADDITION TO THE CITY OF MCKINNEY, COLLIN COUNTY, TEXAS ACCORDING TO THE MAP THEREOF RECORDED IN CABINET G, PAGE 219 OF THE MAP RECORDS OF COLLIN COUNTY, TEXAS.
Reported Address: 1211 BIG BEND DR, MCKINNEY, TX 75069

MORTGAGE SERVICING INFORMATION:

The Mortgage Servicer, if not the Current Mortgagee, is representing the Current Mortgagee pursuant to a Mortgage Servicing Agreement.

Current Mortgagee: Wells Fargo Financial Texas, Inc.

Mortgage Servicer: Wells Fargo Bank, N. A.

Current Beneficiary: Wells Fargo Financial Texas, Inc.

Mortgage Servicer Address: 3476 Stateview Boulevard, Fort Mill, SC 29715

SALE INFORMATION:

Date of Sale: Tuesday, the 1st day of November, 2016

Time of Sale: 10:00AM or within three hours thereafter.

Place of Sale: AT THE SOUTHWEST ENTRANCE OF THE JACK HATCHELL COLLIN COUNTY ADMINISTRATION BUILDING LOCATED AT 2300 BLOOMDALE ROAD, MCKINNEY, TEXAS 75071 in Collin County, Texas, or, if the preceding area is no longer the designated area, at the area most recently designated by the Collin County Commissioner's Court.
Substitute Trustee(s): Robert Ortolani, Shelley Ortolani, Mary Mancuso, Liz Hach, Cheryl Harris, Cristina Camarata, Sammy Hooda, Michael Burns, Alexander Wolfe, Suzanne Suarez or Adam Womack, any to act

Substitute Trustee Address: 14841 Dallas Parkway, Suite 425, Dallas, TX 75254

WHEREAS, the above-named Grantor previously conveyed the above described property in trust to secure payment of the Note set forth in the above-described Deed of Trust; and

WHEREAS, a default under the Note and Deed of Trust was declared; such default was reported to not have been cured; and all sums secured by such Deed of Trust were declared to be immediately due and payable; and

WHEREAS, the original Trustee and any previously appointed Substitute Trustee has been removed and Robert Ortolani, Shelley Ortolani, Mary Mancuso, Liz Hach, Cheryl Harris, Cristina Camarata, Sammy Hooda, Michael Burns, Alexander Wolfe, Suzanne Suarez or Adam Womack, any to act, have been appointed as Substitute Trustees and requested to sell the Property to satisfy the indebtedness; and

WHEREAS, the undersigned law firm has been requested to provide these notices on behalf of the Current Mortgagee, Mortgage Servicer and Substitute Trustees;


NOW, THEREFORE, NOTICE IS HEREBY GIVEN of the foregoing matters and that:

1. The maturity of the Note has been accelerated and all sums secured by the Deed of Trust have been declared to be immediately due and payable.
2. Robert Ortolani, Shelley Ortolani, Mary Mancuso, Liz Hach, Cheryl Harris, Cristina Camarata, Sammy Hooda, Michael Burns, Alexander Wolfe, Suzanne Suarez or Adam Womack, any to act, as Substitute Trustee will sell the Property to the highest bidder for cash on the date, at the place, and no earlier than the time set forth above in the Sale Information section of this notice. The sale will begin within three hours after that time.
3. This sale shall be subject to any legal impediments to the sale of the Property and to any exceptions referenced in the Deed of Trust or appearing of record to the extent the same are still in effect and shall not cover any property that has been released from the lien of the Deed of Trust.
4. No warranties, express or implied, including but not limited to the implied warranties of merchantability and fitness for a particular purpose shall be conveyed at the sale, save and except the Grantor's warranties specifically authorized by the Grantor in the Deed of Trust. The property shall be offered "AS-IS", purchasers will buy the property "at the purchaser's own risk" and "at his peril", and no representation is made concerning the quality or nature of title to be acquired. Purchasers will receive whatever interest Grantor and Grantor's assigns have in the property, subject to any liens or interests of any kind that may survive the sale. Interested persons are encouraged to consult counsel of their choice prior to participating in the sale of the property.

Very truly yours,

Buckley Madole, P.C.




FILED
2016 SEP 26 PM 1:39
STACY NEPP
COUNTY CLERK
COLLIN COUNTY, TEXAS
BY:  DEPUTY

1211 Big Bend Dr, Mckinney, TX 75069 with the following legal description:

BEING LOT 46, IN BLOCK A OF PARK PLACE PHASE I, AN ADDITION TO THE CITY OF MCKINNEY, COLLIN COUNTY, TEXAS ACCORDING TO THE MAP THEREOF RECORDED IN CABINET G, PAGE 219 OF THE MAP RECORDS OF COLLIN COUNTY, TEXAS.

4. The lien to be foreclosed is indexed or recorded at Volume: 05838, Page: 00199, Instrument Number: 2005-0008332 and recorded in the real property records of Collin County, Texas.
5. The material facts establishing Respondent's default are alleged in Petitioner's application and the supporting affidavit. Those facts are adopted by the court and incorporated by reference in this order.
6. Based on the affidavit of Petitioner, no Respondent subject to this order is protected from foreclosure by the Servicemembers Civil Relief Act, 50 U.S.C. App. § 501 et seq.
7. Therefore, the Court grants Petitioner's motion for a default order under Texas Rules of Civil Procedure 736.7 and 736.8. Petitioner may proceed with foreclosure of the property described above in accordance with applicable law and the loan agreement, contract, or lien sought to be foreclosed.
8. This order is not subject to a motion for rehearing, a new trial, a bill of review, or an appeal. Any challenge to this order must be made in a separate, original proceeding filed in accordance with Texas Rule of Civil Procedure 736.11.

SIGNED this ____ day of 9/15/2016, 20____.


JUDGE PRESIDING